Public Law 101-173
101st **Congress**

An Act

Nov. 27, 1989

To amend title 5, United States Code, with respect to the method by which premium pay is determined for irregular, unscheduled overtime duty performed by a Federal employee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5545(c)(2) of title 5, United States Code, is amended to read as follows:

"(2) an employee in a position in which the hours of duty cannot be controlled administratively, and which requires substantial amounts of irregular, unscheduled overtime duty with the employee generally being responsible for recognizing, without supervision, circumstances which require the employee to remain on duty, shall receive premium pay for this duty on an annual basis instead of premium pay provided by other provisions of this subchapter, except for regularly scheduled overtime, night, and Sunday duty, and for holiday duty. Premium pay under this paragraph is an appropriate percentage, not less than 10 percent nor more than 25 percent, of the rate of basic pay for the position, as determined by taking into consideration the frequency and duration of irregular, unscheduled overtime duty required in the position;".

Effective date. 5 USC 5545 note.

(b) The amendment made by subsection (a) shall apply with respect to overtime duty performed on or after the first day of the first applicable pay period beginning after September 30, 1990.

Approved November 27, 1989.

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Nov. 13, considered and passed House and Senate.